

NOTIFICATION OF ADDENDUM

ADDENDUM NO. 2

DATED 7/01/2011

Control	3510-05-019, ETC.
Project	C 3510-5-19, ETC.
Highway	SH 99
County	HARRIS

Ladies/Gentlemen:

Attached please find an addendum on the above captioned project. Included in the attachment is an addendum notification which details the changes and the respective proposal pages which were added and/or changed.

Except for new bid insert pages, it is unnecessary to return any of the pages attached.

Bid insert pages must be returned with the bid proposal submitted to the Department, unless your firm is submitting a bid using a computer print out. The computer print out must be changed to reflect the new bid item information.

Contractors and material suppliers, etc. who have previously been furnished informational proposals are not being furnished a copy of the addendum. If you have a subcontractor on the above project, please advise them of this addendum. Acknowledgment of this addendum is not requested if your company has been issued a proposal stamped "This Proposal Issued for Informational Purposes."

You are required to acknowledge receipt of this addendum on the Addendum Acknowledgement form contained in your bid proposal by placing a mark in the box next to the respective addendum.

Failure to Acknowledge receipt of this addendum in your bid proposal will result in your bid not being read.

SUBJECT: PLANS AND PROPOSAL ADDENDUMS

PROJECT: C 3510-5-19

CONTROL: 3510-05-019

COUNTY: HARRIS

LETTING: 07/07/2011

REFERENCE NO: 0701

PROPOSAL ADDENDUMS

X PROPOSAL COVER

_ BID INSERTS (SH. NO.:

_ GENERAL NOTES (SH. NO.:

X SPEC LIST (SH. NO.: 3-6 & 4-6

X SPECIAL PROVISIONS:

ADDED: 008---133, 000--2238

DELETED:

_ SPECIAL SPECIFICATIONS:

ADDED:

DELETED:

X OTHER: PLAN SHEETS: 06,0619 & 01359-01400

DESCRIPTION OF ABOVE CHANGES

(INCLUDING PLANS SHEET CHANGES)

PROPOSAL COVER: WORKING DAYS CHANGED.

PLAN SHEETS: CSJ 3510-05-027 & 019:

SHEET 06: INDEX REVISED.

SHEET 0619: REMOVED DUPLICATE SHEET SEALED ON 10/11/2010.

SHEETS 01359-01400: ADDED USACE PERMIT SHEETS.

SPECIFICATION LIST:

SHEET 4-6; ADDED SP 008-133 & SP 000-2238. SP 000-2238 REPLACES THE OLD
SP 000-2238 AS THE TEXT IS NOW REVISED.

Control	3510-05-019, ETC.
Project	C 3510-5-19, ETC.
Highway	SH 99
County	HARRIS

PROPOSAL TO THE TEXAS TRANSPORTATION COMMISSION

2004 SPECIFICATIONS

WORK CONSISTING OF CONSTRUCT 4 DIRECT CONNECTOR RAMPS E, F, G AND HARRIS COUNTY, TEXAS

The quantities in the proposal are approximate. The quantities of work and materials may be increased or decreased as considered necessary to complete the work as planned and contemplated.

This project is to be completed in 691 working days and will be accepted when fully completed and finished to the satisfaction of the Executive Director or designee.

Provide a proposal guaranty in the form of a Cashier's Check, Teller's Check (including an Official Check) or Bank Money Order on a State or National Bank or Savings and Loan Association, or State or Federally chartered Credit Union made payable to the Texas Transportation Commission in the following amount:

ONE HUNDRED THOUSAND (Dollars) (\$100,000)

A bid bond may be used as the required proposal guaranty. The bond form may be detached from the proposal for completion. The proposal may not be disassembled to remove the bond form. The bond must be in accordance with Item 2 of the specifications.

Any addenda issued amending this proposal and/or the plans that have been acknowledged by the bidder, become part of this proposal.

By signing the proposal the bidder certifies:

1. the only persons or parties interested in this proposal are those named and the bidder has not directly or indirectly participated in collusion, entered into an agreement or otherwise taken any action in restraint of free competitive bidding in connection with the above captioned project.
2. in the event of the award of a contract, the organization represented will secure bonds for the full amount of the contract.
3. the signatory represents and warrants that they are an authorized signatory for the organization for which the bid is submitted and they have full and complete authority to submit this bid on behalf of their firm.
4. that the certifications and representations contained in the proposal are true and accurate and the bidder intends the proposal to be taken as a genuine government record.

• **Signed: ****

(1) _____ (2) _____ (3) _____

Print Name:

(1) _____ (2) _____ (3) _____

Title:

(1) _____ (2) _____ (3) _____

Company:

(1) _____ (2) _____ (3) _____

- Signatures to comply with Item 2 of the specifications.

****Note:** Complete (1) for single venture, through (2) for joint venture and through (3) for triple venture.

*** When the working days field contains an asterisk (*) refer to the Special Provisions and General Notes.**

NOTICE TO CONTRACTORS

ANY CONTRACTORS INTENDING TO BID ON ANY WORK TO BE AWARDED BY THIS DEPARTMENT MUST SUBMIT A SATISFACTORY “AUDITED FINANCIAL STATEMENT” AND “EXPERIENCE QUESTIONNAIRE” AT LEAST TEN DAYS PRIOR TO THE LETTING DATE.

UNIT PRICES MUST BE SUBMITTED IN ACCORDANCE WITH ITEM 2 OF THE STANDARD SPECIFICATIONS OR SPECIAL PROVISION TO ITEM 2 FOR EACH ITEM LISTED IN THIS PROPOSAL.

CONTROL : 3510-05-019, ETC
PROJECT : C 3510-5-19, ETC
HIGHWAY : SH 99
COUNTY : HARRIS

TEXAS DEPARTMENT OF TRANSPORTATION

GOVERNING SPECIFICATIONS AND SPECIAL PROVISIONS

ALL SPECIFICATIONS AND SPECIAL PROVISIONS APPLICABLE TO THIS PROJECT
ARE IDENTIFIED AS FOLLOWS:

STANDARD SPECIFICATIONS: ADOPTED BY THE TEXAS DEPARTMENT OF
----- TRANSPORTATION JUNE 1, 2004.
STANDARD SPECIFICATIONS ARE INCORPORATED
INTO THE CONTRACT BY REFERENCE.

ITEMS 1 TO 9 INCL., GENERAL REQUIREMENTS AND COVENANTS
ITEM 100 PREPARING RIGHT OF WAY (103)
ITEM 104 REMOVING CONCRETE
ITEM 105 REMOVING STABILIZED BASE AND ASPHALT PAVEMENT
ITEM 110 EXCAVATION (132)(160)
ITEM 132 EMBANKMENT (100)(160)(204)(210)(216)(400)
ITEM 160 TOPSOIL
ITEM 161 COMPOST (160)
ITEM 162 SODDING FOR EROSION CONTROL (166)(168)
ITEM 164 SEEDING FOR EROSION CONTROL (162)(166)(168)
ITEM 166 FERTILIZER
ITEM 168 VEGETATIVE WATERING
ITEM 260 LIME TREATMENT (ROAD-MIXED) (105)(132)(204)(210)(300)
(310)(520)
ITEM 276 CEMENT TREATMENT (PLANT-MIXED) (204)(210)(216)(247)(300)
(310)(520)
ITEM 292 ASPHALT TREATMENT (PLANT-MIXED) (300)(301)(320)(520)(585)
ITEM 351 FLEXIBLE PAVEMENT STRUCTURE REPAIR (132)(204)(247)(260)
(263)(275)(276)(292)(310)(316)(330)(334)(340)
ITEM 360 CONCRETE PAVEMENT (300)(420)(421)(438)(440)(529)(585)
ITEM 368 CONCRETE PAVEMENT TERMINALS (247)(260)(276)(292)(300)
(349)(360)(400)(420)(421)(438)(440)(442)
ITEM 400 EXCAVATION AND BACKFILL FOR STRUCTURES (132)(401)(420)
(421)
ITEM 402 TRENCH EXCAVATION PROTECTION
ITEM 403 TEMPORARY SPECIAL SHORING (423)
ITEM 416 DRILLED SHAFT FOUNDATIONS (420)(421)(440)(448)
ITEM 420 CONCRETE STRUCTURES (400)(404)(421)(426)(427)(438)(440)
(441)(448)
ITEM 422 REINFORCED CONCRETE SLAB (420)(421)(424)(426)(430)(440)

ITEM 423 RETAINING WALLS (110)(132)(400)(420)(421)(424)(440)(445)
 (458)(556)
 ITEM 425 PRECAST PRESTRESSED CONCRETE STRUCTURAL MEMBERS (420)
 (421)(424)(426)(427)(434)(440)(442)
 ITEM 426 PRESTRESSING (420)(421)(434)(440)(442)(445)
 ITEM 428 CONCRETE SURFACE TREATMENT (427)
 ITEM 432 RIPRAP (247)(420)(421)(427)(431)(440)
 ITEM 442 METAL FOR STRUCTURES (441)(445)(446)(447)(448)(449)
 ITEM 450 RAILING (420)(421)(424)(440)(441)(442)(445)(446)(448)
 (540)
 ITEM 454 BRIDGE EXPANSION JOINTS (429)(442)
 ITEM 460 CORRUGATED METAL PIPE (400)(445)
 ITEM 462 CONCRETE BOX CULVERTS AND STORM DRAINS (400)(420)(421)
 (424)(440)(464)
 ITEM 464 REINFORCED CONCRETE PIPE (400)
 ITEM 465 MANHOLES AND INLETS (400)(420)(421)(440)(471)
 ITEM 466 HEADWALLS AND WINGWALLS (400)(420)(421)(430)(440)(464)
 ITEM 467 SAFETY END TREATMENT (400)(420)(421)(430)(432)(440)(445)
 (460)(464)
 ITEM 471 FRAMES, GRATES, RINGS, AND COVERS (441)(445)(448)
 ITEM 472 REMOVING AND RE-LAYING CULVERT AND STORM DRAIN PIPE (400)
 (460)(464)(476)
 ITEM 481 PVC PIPE FOR DRAINS (400)
 ITEM 496 REMOVING STRUCTURES (430)
 ITEM 500 MOBILIZATION
 ITEM 502 BARRICADES, SIGNS, AND TRAFFIC HANDLING (6834)
 ITEM 504 FIELD OFFICE AND LABORATORY
 ITEM 506 TEMPORARY EROSION, SEDIMENTATION, AND ENVIRONMENTAL
 CONTROLS
 ITEM 508 CONSTRUCTING DETOURS
 ITEM 512 PORTABLE CONCRETE TRAFFIC BARRIER (420)(421)(424)(440)
 (442)
 ITEM 514 PERMANENT CONCRETE TRAFFIC BARRIER (400)(416)(420)(421)
 (424)(440)(442)(448)
 ITEM 528 COLOR TEXTURED CONCRETE AND LANDSCAPE PAVERS (132)(247)
 (420)(421)(440)
 ITEM 529 CONCRETE CURB, GUTTER, AND COMBINED CURB AND GUTTER (360)
 (420)(421)(440)
 ITEM 530 INTERSECTIONS, DRIVEWAYS, AND TURNOUTS (247)(260)(263)
 (275)(276)(292)(316)(330)(334)(340)(360)(421)(440)
 ITEM 531 SIDEWALKS (104)(360)(420)(421)(440)(530)
 ITEM 540 METAL BEAM GUARD FENCE (421)(441)(445)(529)(542)(544)
 ITEM 542 REMOVING METAL BEAM GUARD FENCE
 ITEM 544 GUARDRAIL END TREATMENTS
 ITEM 545 CRASH CUSHION ATTENUATORS (421)
 ITEM 550 CHAIN LINK FENCE (421)(445)
 ITEM 556 PIPE UNDERDRAINS (402)(432)
 ITEM 610 ROADWAY ILLUMINATION ASSEMBLIES (421)(441)(442)(445)(446)
 (449)(616)(620)
 ITEM 613 HIGH MAST ILLUMINATION POLES (421)(441)(442)(445)(449)
 (618)
 ITEM 614 HIGH MAST ILLUMINATION ASSEMBLIES (441)(442)(445)(446)
 (616)(620)
 ITEM 618 CONDUIT (400)(445)(476)(622)

ITEM 620 ELECTRICAL CONDUCTORS
 ITEM 621 TRAY CABLE
 ITEM 624 GROUND BOXES (420)(421)(432)(440)(618)(620)
 ITEM 628 ELECTRICAL SERVICES (441)(445)(449)(618)(620)(627)(656)
 ITEM 636 ALUMINUM SIGNS (643)
 ITEM 644 SMALL ROADSIDE SIGN SUPPORTS AND ASSEMBLIES (421)(440)
 (441)(442)(445)(634)(636)(643)(656)
 ITEM 647 LARGE ROADSIDE SIGN SUPPORTS AND ASSEMBLIES (421)(440)
 (441)(442)(445)(643)
 ITEM 650 OVERHEAD SIGN SUPPORTS (416)(420)(421)(441)(442)(445)
 (449)(618)
 ITEM 654 SIGN WALKWAYS (441)(445)
 ITEM 658 DELINEATOR AND OBJECT MARKER ASSEMBLIES (445)
 ITEM 662 WORK ZONE PAVEMENT MARKINGS (666)(668)(672)(677)
 ITEM 666 REFLECTORIZED PAVEMENT MARKINGS (316)(318)(662)(677)(678)
 ITEM 668 PREFABRICATED PAVEMENT MARKINGS
 ITEM 672 RAISED PAVEMENT MARKERS (677)(678)
 ITEM 677 ELIMINATING EXISTING PAVEMENT MARKINGS AND MARKERS (300)
 (302)(316)
 ITEM 678 PAVEMENT SURFACE PREPARATION FOR MARKINGS (677)
 ITEM 680 INSTALLATION OF HIGHWAY TRAFFIC SIGNALS (610)(625)(627)
 (634)(636)(656)
 ITEM 682 VEHICLE AND PEDESTRIAN SIGNAL HEADS
 ITEM 684 TRAFFIC SIGNAL CABLES
 ITEM 686 TRAFFIC SIGNAL POLE ASSEMBLIES (STEEL) (416)(421)(441)
 (442)(445)(449)
 ITEM 687 PEDESTAL POLE ASSEMBLIES (445)(449)(656)(4003)
 ITEM 730 ROADSIDE MOWING
 ITEM 734 LITTER REMOVAL
 ITEM 735 DEBRIS REMOVAL
 ITEM 738 CLEANING AND SWEEPING HIGHWAYS

SPECIAL PROVISIONS: SPECIAL PROVISIONS WILL GOVERN AND TAKE
 ----- PRECEDENCE OVER THE SPECIFICATIONS ENUMERATED
 HEREON WHEREVER IN CONFLICT THEREWITH.

SPECIAL LABOR PROVISIONS FOR STATE PROJECTS (000---007)
 WAGE RATES

SPECIAL PROVISION "PARTNERING" (000---002)
 SPECIAL PROVISION "SMALL BUSINESS ENTERPRISE IN STATE FUNDED
 PROJECTS" (000--2189)
 SPECIAL PROVISION "IMPORTANT NOTICE TO CONTRACTORS" (000--2238)
 SPECIAL PROVISION "SCHEDULE OF LIQUIDATED DAMAGES" (000--1493)
 SPECIAL PROVISION "DEPARTMENT DIVISION MAILING AND PHYSICAL ADDRESS"
 (000---011)
 SPECIAL PROVISION TO ITEM 1 (001---015)
 SPECIAL PROVISION TO ITEM 2 (002---017)
 SPECIAL PROVISIONS TO ITEM 3 (003---015)(003---033)
 SPECIAL PROVISION TO ITEM 4 (004---017)
 SPECIAL PROVISION TO ITEM 5 (005---004)
 SPECIAL PROVISION TO ITEM 6 (006---030)
 SPECIAL PROVISIONS TO ITEM 7 (007---806)(007---839)

SPECIAL PROVISIONS	TO	ITEM	8	(008---013)(008---086)(008---133)
SPECIAL PROVISIONS	TO	ITEM	9	(009---012)(009---015)
SPECIAL PROVISION	TO	ITEM	100	(100---002)
SPECIAL PROVISION	TO	ITEM	132	(132---005)
SPECIAL PROVISION	TO	ITEM	161	(161---006)
SPECIAL PROVISION	TO	ITEM	164	(164---002)
SPECIAL PROVISION	TO	ITEM	166	(166---001)
SPECIAL PROVISION	TO	ITEM	247	(247---033)
SPECIAL PROVISION	TO	ITEM	260	(260---002)
SPECIAL PROVISION	TO	ITEM	275	(275---002)
SPECIAL PROVISION	TO	ITEM	300	(300---032)
SPECIAL PROVISION	TO	ITEM	302	(302---010)
SPECIAL PROVISION	TO	ITEM	316	(316---016)
SPECIAL PROVISION	TO	ITEM	330	(330---001)
SPECIAL PROVISION	TO	ITEM	340	(340---003)
SPECIAL PROVISION	TO	ITEM	360	(360---003)
SPECIAL PROVISION	TO	ITEM	368	(368---001)
SPECIAL PROVISION	TO	ITEM	416	(416---001)
SPECIAL PROVISION	TO	ITEM	420	(420---002)
SPECIAL PROVISION	TO	ITEM	421	(421---035)
SPECIAL PROVISION	TO	ITEM	424	(424---002)
SPECIAL PROVISION	TO	ITEM	425	(425---001)
SPECIAL PROVISION	TO	ITEM	428	(428---001)
SPECIAL PROVISION	TO	ITEM	429	(429---008)
SPECIAL PROVISION	TO	ITEM	431	(431---001)
SPECIAL PROVISION	TO	ITEM	434	(434---003)
SPECIAL PROVISION	TO	ITEM	440	(440---005)
SPECIAL PROVISION	TO	ITEM	441	(441---006)
SPECIAL PROVISION	TO	ITEM	442	(442---016)
SPECIAL PROVISION	TO	ITEM	447	(447---002)
SPECIAL PROVISION	TO	ITEM	448	(448---002)
SPECIAL PROVISION	TO	ITEM	450	(450---001)
SPECIAL PROVISION	TO	ITEM	462	(462---011)
SPECIAL PROVISION	TO	ITEM	464	(464---003)
SPECIAL PROVISION	TO	ITEM	465	(465---001)
SPECIAL PROVISION	TO	ITEM	500	(500---005)
SPECIAL PROVISION	TO	ITEM	502	(502---033)
SPECIAL PROVISION	TO	ITEM	506	(506---012)
SPECIAL PROVISION	TO	ITEM	512	(512---002)
SPECIAL PROVISION	TO	ITEM	514	(514---002)
SPECIAL PROVISION	TO	ITEM	540	(540---023)
SPECIAL PROVISION	TO	ITEM	544	(544---001)
SPECIAL PROVISION	TO	ITEM	610	(610---010)
SPECIAL PROVISION	TO	ITEM	613	(613---002)
SPECIAL PROVISION	TO	ITEM	620	(620---001)
SPECIAL PROVISION	TO	ITEM	624	(624---014)
SPECIAL PROVISION	TO	ITEM	628	(628---003)
SPECIAL PROVISION	TO	ITEM	636	(636---014)
SPECIAL PROVISION	TO	ITEM	643	(643---001)
SPECIAL PROVISION	TO	ITEM	672	(672---034)
SPECIAL PROVISION	TO	ITEM	682	(682---001)
SPECIAL PROVISION	TO	ITEM	687	(687---004)
SPECIAL PROVISION	TO	ITEM	730	(730---009)
SPECIAL PROVISION	TO	ITEM	734	(734---002)

SPECIAL PROVISION TO ITEM 735 (735---001)
 SPECIAL PROVISION TO ITEM 738 (738---001)
 SPECIAL PROVISION TO SPECIAL SPECIFICATION ITEM 6266 (6266--017)
 SPECIAL PROVISION TO SPECIAL SPECIFICATION ITEM 6473 (6473--001)

SPECIAL SPECIFICATIONS:

ITEM 1068 LOOSE AGGREGATE FOR GROUND COVER
 ITEM 3224 DENSE-GRADED HOT-MIX ASPHALT (QC/QA) (300)(301)(320)(520)
 (585)
 ITEM 4003 SCREW-IN TYPE ANCHOR FOUNDATIONS (300)(301)(320)(520)
 (585)
 ITEM 4178 HIGH LOAD MULTI-ROTATIONAL BEARINGS
 ITEM 4460 STEEL PIPE PILING
 ITEM 4591 TOLL PLAZA FACILITY (360)(400)(416)(420)(432)(442)(450)
 (530)(531)(618)(620)(624)(628)
 ITEM 5049 BIODEGRADABLE EROSION CONTROL LOGS (161)(506)
 ITEM 5050 PORTABLE CONCRETE TRAFFIC BARRIER CONNECTION HARDWARE
 (442)
 ITEM 5367 CABLE BARRIER SYSTEM (421)(658)
 ITEM 5457 WATER MAINS
 ITEM 5893 SANITARY SEWERS
 ITEM 6004 DIGITAL CARD RACK INDUCTIVE LOOP DETECTOR ASSEMBLY (8579)
 ITEM 6005 UNINTERRUPTIBLE POWER SUPPLY (8579)
 ITEM 6011 TESTING, TRAINING, DOCUMENTATION, FINAL ACCEPTANCE AND
 WARRANTY (6579)
 ITEM 6013 ELECTRONIC COMPONENTS
 ITEM 6014 FIBER OPTIC CABLE (6011)(6013)(8579)
 ITEM 6016 ITS FIELD EQUIPMENT CABINET (441)(618)(656)(687)(6004)
 (6005)(6011)(6013)(6019)(6027)(6920)(8579)
 ITEM 6019 LOCAL CONTROL UNIT
 ITEM 6027 LANE CONTROL SIGNAL EQUIPMENT (8579)
 ITEM 6266 VIDEO IMAGING VEHICLE DETECTION SYSTEM
 ITEM 6473 MULTIPOLYMER PAVEMENT MARKING S (MPM) (677)(678)(8094)
 ITEM 6579 SERIAL SERVER UNIT
 ITEM 6623 MULTI-DUCT CONDUIT SYSTEM (400)
 ITEM 6834 PORTABLE CHANGEABLE MESSAGE SIGN
 ITEM 6919 COMMUNICATIONS HUB BUILDING (656)
 ITEM 6920 CCTV FIELD EQUIPMENT
 ITEM 6986 LONGITUDINAL PREFABRICATED PAVEMENT MARKINGS (PPM) WITH
 WARRANTY (677)
 ITEM 8048 RADAR VEHICLE SENSING DEVICE (RVSD)
 ITEM 8094 MOBILE RETROREFLECTIVITY DATA COLLECTION FOR PAVEMENT
 MARKINGS
 ITEM 8260 LED COUNTDOWN PEDESTRIAN SIGNAL MODULE (682)
 ITEM 8445 FIBER OPTIC VIDEO DATA TRANSMISSION EQUIPMENT (6011)
 (6013)
 ITEM 8579 ITS SPECIFICATIONS MATERIAL SUBMITTAL REQUIREMENTS
 ITEM 8703 ACCESSIBLE PEDESTRIAN SIGNAL UNITS
 ITEM 8739 CAMERA POLE STRUCTURE (416)(441)(445)(449)(6013)
 ITEM 8756 INSTALLATION OF DYNAMIC MESSAGE SIGN SYSTEM (416)(432)
 (441)(445)(449)(618)(620)(650)(654)(656)(8579)

GENERAL: THE ABOVE-LISTED SPECIFICATION ITEMS ARE THOSE UNDER WHICH
----- PAYMENT IS TO BE MADE. THESE, TOGETHER WITH SUCH OTHER
PERTINENT ITEMS, IF ANY, AS MAY BE REFERRED TO IN THE ABOVE-
LISTED SPECIFICATION ITEMS, AND INCLUDING THE SPECIAL
PROVISIONS LISTED ABOVE, CONSTITUTE THE COMPLETE SPECIFI-
CATIONS FOR THIS PROJECT.

SPECIAL PROVISION**008---133****Prosecution and Progress**

For this project, Item 008, "Prosecution and Progress," of the Standard Specifications, is hereby amended with respect to the clauses cited below, and no other clauses or requirements of this Item are waived or changed hereby.

Article 8.5. Failure to Complete Work on Time is voided and replaced by the following:

The time established for the completion of the work is an essential element of the Contract. If the Contractor fails to complete the work within the number of working days specified, working days will continue to be charged.

Failure to complete toll infrastructure and facilities as specified on the plans within 571 working days, plus any additional working days granted, will result in liquidated damages in the amount of \$35,000 per day being assessed for every working day in excess of the stated number until work is complete. Completion for toll infrastructure and facilities is defined as occurring when all work for the tolling infrastructure as shown on the tolling plans is completed.

In the event of Contractor concurrent delay in substantial completion and completion of the toll infrastructure and facilities, the maximum liquidated damages that will be assessed shall be \$35,000/working day.

Failure to substantially complete the project within 651 working days, plus any additional working days granted, will result in liquidated damages in the amount of \$35,000 per day being assessed for every working day in excess of the stated number. Substantial completion of the project is defined as occurring when all work as shown on the plans is completed, and traffic is following the lane arrangement as shown on the plans. All pavement construction, resurfacing, traffic control devices, and pavement markings shall be in their final position, or as called for on the plans. An exception may be made by the Engineer for particular items of work provided that the lack thereof does not cause a disruption to traffic flow or an unsafe condition for the traveling public.

In addition, failure to complete the entire project within the 691 working days, plus any additional working days granted, will result in contract administration liquidated damages being assessed, at the rate determined from the schedule of liquidated damages shown in the proposal, for every working day in excess of the stated number.

The liquidated damages for the substantial completion of the project, completion of toll infrastructure and facilities and the contract administration liquidated damages will be assessed for lost toll revenue and added expenses incurred by the Department. These assessments will be deducted from any moneys due or to become due the Contractor, not as a penalty, but as liquidated damages.

SPECIAL PROVISION**000--2238****Important Notice to Contractors**

The Contractor's attention is directed to the fact that, as of June 30, 2011, there are right of way acquisitions and utility adjustments that have not been completed. The Department anticipates that all remaining utility adjustments and right of way acquisitions will be completed in sufficient time to prevent any undue delay to the Contractor in his normal operation. Requests for additional compensation or working days will be made in accordance with the standard specifications, if necessary.

For the Contractor's information, the following is a list of all tracts of right of way required for the construction of the project that have not been acquired. The Contractor is invited to review the outstanding right of way with the Engineer assigned to this project, and listed in the "NOTICE TO CONTRACTORS." A right of way map reflecting location, etc., is on file with the Engineer and also on file with the Texas Department of Transportation in Austin, Texas.

The following outstanding right of way is expected to be acquired by the dates shown.

OUTSTANDING RIGHT OF WAY		
Parcel Number	Property Description/Owner	Estimated Acquisition Date
022	GGP-BRIDGELAND, LP	6/30/2012*
022B DP	GGP-BRIDGELAND, LP	6/30/2012*
022C	GGP-BRIDGELAND, LP	6/30/2012*
022D	GGP-BRIDGELAND, LP	6/30/2012*
024	RICHFIELD RANCH INVESTMENTS, L	6/30/2012*
024A	RICHFIELD RANCH INVESTMENTS, L	6/30/2012*
025 RR	SOUTHERN PACIFIC TRANSPORTATION	6/30/2011
034	GIRO REALTY INVESTMENTS, LTD.	6/30/2011
035	REGENCY GRAND PARKWAY/290 RET	7/15/2011
036	REGENCY GRAND PARKWAY/290 RET	7/15/2011

* Traffic Control Phasing/Sequence of Construction shown in plans may not reflect acquisition dates

The Contractor is invited to review the outstanding utility adjustments with the Engineer assigned to this project and listed in the “NOTICE TO CONTRACTORS.”

The following utilities are to be adjusted by their owners and are expected to be completed by the dates shown.

OUTSTANDING UTILITY ADJUSTMENTS			
Location	Description	Owner	Expected Completion Date
Fiber/Optics 1648+44 to 1698+03 US290 WBFR	OH Fiber Optics Optic Parallel Proposed WBFR	Comcast	B
1698+03 to 1720+94	Buried Fiber	Comcast	B
Fiber/Optics 1648+44 to 1720+94 US290 WBFR	Buried Fiber Optic Parallel Proposed WBFR	Level 3	B
Fiber/Optics 5419+47.68 CONN E	Buried Fiber Optic Parallel Proposed Bent 17	Level 3	B
Fiber/Optics 8418+13.90 CONN H	Buried Fiber Optic Parallel Proposed Bent 19	Level 3	B
Fiber/Optics 5419+47.68 CONN E	Buried Fiber Optic Parallel Proposed Bent 17	MCI/Verizon	B
Fiber/Optics 8418+13.90 CONN H	Buried Fiber Optic Parallel Proposed Bent 19	MCI/Verizon	B
Fiber/Optics 5419+47.68 CONN E	Buried Fiber Optic Parallel Proposed Bent 17	TCG (AT&T)	B
Fiber/Optics 8418+13.90 CONN H	Buried Fiber Optic Parallel Proposed Bent 19	TCG (AT&T)	B
1648+44 to 1698+03	CONN, RAMP 195 Proposed WBFR	Centerpoint Electric	E
1692+31	Pavement Proposed WBFR	Centerpoint Electric	B

OUTSTANDING UTILITY ADJUSTMENTS			
Location	Description	Owner	Expected Completion Date
1671+80	4x4 RCB	Centerpoint Electric	B
5443+10	CONN E Proposed WBFR	Centerpoint Electric	C
7437+00	CONN G Proposed WBFR	Centerpoint Electric	C
1691+02	Proposed 4x4 RCB Proposed WBFR	AT&T Texas	F
5419+47.68	Buried Fiber Optic Parallel Proposed Bent 17 – Conn E	AT&T Texas	C
8418+13.90	Buried Fiber Optic Parallel Proposed Bent 19 – Conn H	AT&T Texas	C
1649+42 to 1720+94 1702+33	WBFR	Centerpoint Gas	D
2253+48 to 2255+14 RT	Proposed Detention Pond	Centerpoint Electric	C
2345+14 to 2350+13 LT	O/H Power Lines	Centerpoint Electric	C
1703+70	U/G Gas Crossing	Centerpoint Gas	D

- A. To be adjusted within 30 contractor working days after the right of way is cleared and staked, the conflicts staked, and the company is notified in writing by the contractor.
- B. To be adjusted within 60 contractor working days after the right of way is cleared and staked, the conflicts staked, and the company is notified in writing by the contractor.
- C. To be adjusted within 90 contractor working days after the right of way is cleared and staked, the conflicts staked, and the company is notified in writing by the contractor.

- D. To be adjusted within 120 contractor working days after the right of way is cleared and staked, the conflicts staked, and the company is notified in writing by the contractor.
- E. To be adjusted within 150 contractor working days after the right of way is cleared and staked, the conflicts staked, and the company is notified in writing by the contractor.
- F. To be adjusted within 180 contractor working days after the right of way is cleared and staked, the conflicts staked, and the company is notified in writing by the contractor.

UTILITY CONTACTS

Level 3 - Mr. Clay Ekstrom, 281-618-3932 Clayton.Ekstrom@Level3.com

MCI - Mr. Mike Williams, 972-795-4277 mike.williams@verizonbusiness.com

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